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Group Health Plans and Health Insurance Issuers: Internal Claims and Appeals and External Review Processes

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General Comment

On behalf of Certified Languages Internal, a language Service Provider, I wish to comment on the 10% threshold for translation and oral interpretation of private plan materials in the internal review and appeals contexts. Certified Languages works with Limited Proficient populations in all languages, without discrimination for smaller LEP populations. The 10% standard is far too high.

A more appropriate standard would be "5% of the plan's population or 500 persons in plan's service area, whichever is less" for large group plans, and 25% of population for small plans. Oral interpretation should be provided in all languages at all times. Consider what would happen if a parent of a sick child thought they heard "tablespoon", rather than "teaspoon". The consequences would be horrifying.